

**STATE DRIVING BUSINESSES LICENSURE BOARD**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 9/29/2017**

**BOARD MEMBERS PRESENT:** Robert M Fenn - Chair  
Sally K Phillips  
Theresa A Bradford  
Faith A Todd

**BOARD MEMBERS ABSENT:** Kathryn N Rickerman

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Maurie Ellsworth, General Counsel  
Cesley Metcalfe, Technical Records Specialist  
Betsy Duncan, Technical Records Specialist  
Deborah Sexton, Management Assistant

**OTHERS PRESENT:** Melissa Hamilton, Away We Go Driving School

The meeting was called to order at 9:30 AM MDT by Robert M Fenn.

**APPROVAL TO ACCEPT AMENDED AGENDA**

Ms. Bradford made a motion to accept the amended agenda that included discussion on security training for Board members. It was seconded by Ms. Todd. Motion Carried.

**APPROVAL OF MINUTES**

Ms. Phillips made a motion to approve the minutes of July 18, 2017. It was seconded by Ms. Bradford. Motion carried.

**INTRODUCTION OF NEW BOARD MEMBER**

Mr. Fenn introduced and welcomed Faith Todd to the Board and Ms. Cory introduced Bureau staff.

**EXECUTIVE ORDER**

Ms. Cory reviewed the Executive Order issued by Acting Governor Little which requires State agencies to submit a report to the Office of the Governor no later

than July 1, 2018. The report will assess whether the licensure requirements are necessary and in the public interest while providing recommendations for improvement, modification or elimination. Ms. Cory also updated the Board on the information and process for public comment which has been added the Board's website.

## **SERVICE MEMBERS AND MILITARY EXPERIENCE**

Ms. Cory reviewed the link on the Bureau website regarding military service members and veterans.

## **LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. The revised fee rule has been submitted to the Governor's Office and will be discussed later in the meeting. The deadlines to submit proposed rule and law revisions to the Governor's Office have passed for the 2018 Legislative Session.

## **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$41,896.25 as of 8/31/2017.

## **CORRESPONDENCE**

The Board reviewed correspondence from the Idaho Association of Professional Driving Businesses (IAPDB) regarding further fee reductions for driving businesses. Ms. Cory explained that the proposed rule change with the current fee reductions will be published in the administrative rules bulletin on October 4, 2017, after which there will be a 21 day public comment period. The Board determined it would keep the fee reduction rule as it currently reads and may review this rule following the close of the comment period.

## **OLD BUSINESS**

Mr. Fenn informed the Board that he has attempted to make contact with the State Department of Education (SDE) regarding the transfer of student permit fees to the Board as per Idaho Code § 49-307. Mr. Fenn will continue to reach out to SDE for updates on payment status.

## **EXECUTIVE SESSION**

Ms. Bradford made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Phillips. The

vote was: Mr. Fenn, aye; Ms. Phillips, aye; Ms. Bradford, aye; and Ms. Todd, aye. Motion carried.

Ms. Bradford made a motion to come out of executive session. It was seconded by Ms. Todd. The vote was: Mr. Fenn, aye; Ms. Phillips, aye; Ms. Bradford, aye; and Ms. Todd, aye. Motion carried.

Ms. Bradford made a motion to deny the requested curriculum change for Away We Go Driving School. It was seconded by Ms. Todd. Motion carried.

## **OLD BUSINESS**

To Do List – The Board reviewed the to do list.

## **DRIVING BUSINESS AUDITS**

Ms. Hall presented the Board with a draft of the proposed driving business audit form. The Board discussed audit process options and concluded the reason for auditing is to ensure public safety. The Board reviewed Rule 228 which went into effect on April 7, 2011. The Board tabled discussion regarding specific audit processes until the next meeting. Ms. Bradford made a motion for Bureau staff to amend the audit form as discussed and draft a follow up letter, both for review at the next meeting. It was seconded by Ms. Todd. Motion carried.

In response to audit comments presented in the IAPDB's letter, Ms. Bradford made a motion for the Bureau staff to draft a response regarding the reason for auditing driving businesses, and to invite the Association to attend the next Board meeting. It was seconded by Ms. Todd. Motion carried.

## **APPRENTICESHIP HOURS**

The Board discussed the possibility of reducing apprenticeship hours. Mr. Fenn will research and present the requirements of surrounding states to Ms. Phillips, who will review in it response to the Executive Order issued by Lt. Governor Little.

## **ASSOCIATION OF NATION STAKEHOLDERS IN TRAFFIC SAFETY EDUCATION (ANTSE)**

Mr. Fenn stated that he reviewed the information the Board received from ANTSE and believed it to be useful and relevant. Ms. Bradford made a motion for the materials to be provided to the Bureau for review and transfer to the IAPDB. It was seconded by Ms. Todd. Motion carried.

## **CORRESPONDENCE**

The Board discussed an issue with an online driver's education course provider who was believed to be advertising that it was a state approved course in Idaho. Mr. Ellsworth explained that after further review of the website, this company does not state that it is approved in Idaho. No action was taken.

## **NOTIFICATION TO LICENSEES**

Ms. Bradford made a motion to direct Bureau staff to send out a postcard to all licensees notifying them of the proposed rule change to lower application and renewal fees. It was seconded by Ms. Todd. Motion carried.

## **NEW BUSINESS**

### **SECURITY TRAINING**

Ms. Hall explained the need for new and current Board members to complete security training related to background checks.

## **CORRESPONDENCE**

The Board reviewed a message from All Star Driver Education requesting direction on the requirements for offering an online course in Idaho.

Ms. Bradford made a motion for Bureau staff to draft a response informing the company that it must locate an Idaho driving school that will sponsor the course and submit a request to the Board for approval of inclusion of the course to the curriculum. Currently there is no separate process for the Board to approve an online only curriculum. It was seconded by Ms. Todd. Motion carried.

Ms. Bradford made a motion directing Bureau staff to respond to an inquiry of whether the Board charged Driversed.com and AAA to provide online courses to Idaho students. The response should state that the Board does not have authority to charge these companies because currently there is no separate process for the Board to approve online only curriculum. It was seconded by Ms. Todd. Motion carried.

The Board requested an addition to the To-Do list to discuss whether there should be a separate process for online or classroom only programs.

## **APPRENTICE PROGRAMS ON BOARD WEBSITE**

Ms. Duncan presented the Board a draft of a form to send to the businesses currently listed on the website as approved apprentice programs. The form will be used to update the information available to licensees regarding Board approved apprentice programs. Ms. Bradford made a motion for Bureau staff to

amend the form as directed and present it to the Board chair for approval. It was seconded by Ms. Todd. Motion carried.

## **APPRENTICE PERMIT**

The Board reviewed the verbiage of the current apprentice permit. Ms. Bradford made a motion to strike an inapplicable reference to Idaho Code § 5406(2) from the permit. It was seconded by Ms. Todd. Motion carried.

## **DRAFT APPLICATIONS AND FORMS**

Ms. Hall presented the Board with drafts that propose formatting and content updates to Board applications and renewal forms. Ms. Bradford made a motion to accept the changes to all forms as outlined in red. It was seconded by Ms. Todd. Motion carried.

## **CONTINUING EDUCATION COURSE CURRICULUM**

The Board reviewed previously requested documentation from a driving business for a continuing education course offered to licensees. Ms. Bradford made a motion to accept the course for continuing education. It was seconded by Ms. Todd. Motion carried.

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## **APPLICATIONS**

Ms. Bradford made a motion to approve the following applicant for licensure following receipt of additional information and review by the Board chair:

901153355

It was seconded by Ms. Todd. Motion carried.

## **SECURE WEB DEMONSTRATION**

Ms. Hall gave a brief demonstration of the online secure system that will be used to access documents for future meetings.

**NEXT MEETING** was scheduled for November 15, 2017 at 9:30 AM.

## **ADJOURNMENT**

Ms. Todd made a motion to adjourn the meeting at 12:54 PM. It was seconded by Ms. Phillips. Motion carried.

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Robert M Fenn, Chair

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Sally K Phillips

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Theresa A Bradford

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Faith A Todd

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Tana Cory, Bureau Chief